



To: Economic Affairs Interim Committee
From: Quinlan L. O'Connor
Date: August 31, 2026
Re: Mont. Code Ann. § 37-3-203(3) Board of Medical Examiners Report on Physician Marijuana Certification Complaints

Mont. Code Ann. § 37-3-203(3)(a) requires the Board of Medical Examiners to “report annually on the number and types of complaints it has received involving physician practices providing written certification, as defined in 16-12-502, for the use of marijuana for a debilitating medical condition provided for in Title 16, chapter 12, part 5.” The subsection provides specific requirements for the report.

The Board received no complaints in fiscal year 2026 involving physician marijuana certification.

The Department of Revenue, pursuant to Mont. Code Ann. §16-12-509(6) referred a list of 27 physicians who had issued 39 or more marijuana certifications. One of these has resulted in a complaint, opened in fiscal year 2027, based on the Board’s review of certification practices.